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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2005 MAR 15 P 2:48

Arizona Corporation Commission

DOCKETED

JEFF HATCH-MILLER, Chairman  
WILLIAM A. MUNDELL  
MARC SPITZER  
MIKE GLEASON  
KRISTIN K. MAYES

AZ CORP COMMISSION  
DOCUMENT CONTROL

MAR 15 2005

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF  
CAVE CREEK WATER COMPANY TO EXTEND  
ITS CERTIFICATE OF CONVENIENCE AND  
NECESSITY.

DOCKET NO. W-01452A-05-0082

PROCEDURAL ORDER

**BY THE COMMISSION:**

On February 9, 2005, Cave Creek Water Company ("Company" or "Applicant"), filed an application for an extension of its Certificate of Convenience and Necessity ("Certificate") with the Arizona Corporation Commission ("Commission") to provide public water utility service to various parts of Maricopa County, Arizona.

In accordance with A.R.S. § 41-1074(C), the application herein is deemed administratively complete.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that a hearing shall commence on May 5, 2005, at 9:30 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that the Staff Report and associated exhibits to be presented at hearing on behalf of Staff shall be reduced to writing and filed on or before 4:00 p.m. on April 19, 2005.

IT IS FURTHER ORDERED that any objections to the Staff Report and associated exhibits to be presented at hearing by Applicant shall be reduced to writing and filed on or before 4:00 p.m. on April 26, 2005.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before April 22, 2005.

1 IT IS FURTHER ORDERED that Applicant shall provide public notice of the hearing in this  
2 matter, in the following form and style:

3 **PUBLIC NOTICE OF THE HEARING FOR**  
4 **CAVE CREEK WATER COMPANY FOR AN EXTENSION OF ITS**  
5 **CERTIFICATE OF CONVENIENCE AND NECESSITY**  
6 **(W-01452A-05-0082)**

7 On February 9, 2005, Cave Creek Water Company ("Applicant") filed an application  
8 for an extension of its CC&N to various parts of Maricopa County, Arizona.

9 The application is available for inspection during regular business hours at the offices  
10 of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona  
11 and at the Applicant's office, [insert office address].

12 The Commission will hold a hearing on this matter commencing on May 5, 2005, at  
13 9:30 a.m. at the Commission's offices, 1200 West Washington Street, Phoenix,  
14 Arizona. Public comments will be taken on the first day of the hearing.

15 The law provides for an open public hearing at which, under appropriate  
16 circumstances, interested parties may intervene. Intervention shall be permitted to  
17 any person entitled by law to intervene and having a direct and substantial interest in  
18 the matter. Persons desiring to intervene must file a written motion to intervene with  
19 the Commission, which motion should be sent to Applicant or its counsel and to all  
20 parties of record, and which, at the minimum, shall contain the following:

- 21 1. The name, address, and telephone number of the proposed intervenor and of  
22 any party upon whom service of documents is to be made if different than the  
23 intervenor.
- 24 2. A short statement of the proposed intervenor's interest in the proceeding (e.g.,  
25 a customer of Applicant, a shareholder of Applicant, a competitor, etc.).
- 26 3. A statement certifying that a copy of the motion to intervene has been mailed  
27 to the Company or its counsel and to all parties of record in the case.

28 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except  
that all motions to intervene must be filed on or before April 22, 2005. The granting  
of intervention, among other things, entitles a party to present sworn evidence at  
hearing and to cross-examine other witnesses. However, failure to intervene will not  
preclude any customer from appearing at the hearing and making a statement on  
such customer's own behalf.

If you have any questions or concerns about this application or have any objections  
to its approval, or wish to make a statement in support of it, you may write the  
Consumer Services Section of the Commission at 1200 West Washington Street,  
Phoenix, Arizona 85007 or call 1-800-222-7000 or appear at the hearing and make  
comment.

The Commission does not discriminate on the basis of disability in admission to its  
public meetings. Persons with a disability may request a reasonable accommodation  
such as a sign language interpreter, as well as request this document in an alternative  
format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-  
3931, E-mail [lhogan@cc.state.az.us](mailto:lhogan@cc.state.az.us). Requests should be made as early as possible to

allow time to arrange the accommodation.

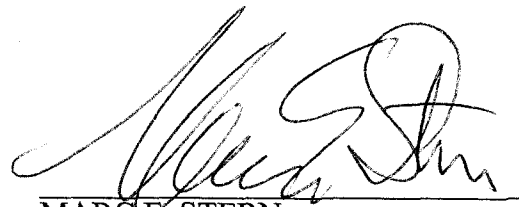
IT IS FURTHER ORDERED that Applicant shall cause the above notice to be published at least once in a newspaper of general circulation in its service territory, with publication to be completed no later than April 8, 2005.

IT IS FURTHER ORDERED that Applicant shall file certification of publication as soon as practicable after the publication has been completed.

IT IS FURTHER ORDERED that notice shall be deemed complete upon publication of same, notwithstanding the failure of an individual customer to read or receive the notice.

IT IS FURTHER ORDERED that the presiding Administrative Law Judge may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 15<sup>th</sup> day of March, 2005

  
MARCE STERN  
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 15 day of March, 2005 to:

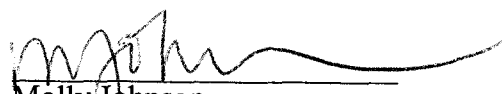
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Phoenix, Arizona 85004-1104

By:   
Molly Johnson  
Secretary to Marc Stern